



U.S. Department of Justice
Office of the United States Trustee
Southern District of New York

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November 27, 2019

Honorable James L. Garrity
United States Bankruptcy Court
One Bowling Green
New York, New York 10004

Re: Penny Ann Bradley
Case No. 18-10122 (jlg)

Dear Judge Garrity:

This Office has reviewed the letter of the debtor Penny Ann Bradley (the "Debtor") filed on November 26, 2019. The debtor states in the letter that "upon the filing of Amended Schedules and Amended Operating Reports, the Debtor will be fully compliant with the administrative obligations under the Bankruptcy Code, Bankruptcy Rules, Local Bankruptcy Rules, and United States Trustee Guidelines."

The Court should be aware of the following:

Tax returns

Within the last few weeks, my Office has been provided with copies of the Debtor's amended tax returns for 2014 and 2015, and tax returns for 2016, 2017 and 2018. These tax returns are all dated November 11, 2019.

The 2014 and 2015 tax returns sent to my office were prepared by Klinger & Klinger LLP with the following disclaimer: "We have prepared the enclosed amended returns from information provided by you without verification or audit." The 2018 tax returns have the disclaimer that is found in the 2014 and 2015 statements.

The 2016 and 2017 tax returns do not have similar disclaimers.

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Monthly operating reports

The last Monthly operating report was filed for the month of September 2019, Dkt. No. 189. This monthly operating report has the following disclaimer:

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In re	<u>Penny Ann Bradley</u>	Case No.	<u>1810122-jlg</u>
	Debtor	Reporting Period:	<u>Sep-19</u>

ACCOUNTANTS FOOTNOTES

**THE ACCOMPANYING FINANCIAL STATEMENTS FOR PENNY ANN
BARDLEY AND PBOR ARE NOT FINAL AND ARE SUBJECT TO
CHANGE AS THE AFFILIATED ENTITIES UNDER CONTROL OF THE
DEBTOR, ARE STILL IN THE PROCESS OF BEING RECONCILED. WE
WILL CONTINUE TO UPDATE THIS REPORT AS WE COMPILE
ADDITIONAL INFORMATION.**

To our knowledge, all filed monthly operating reports have a similar disclaimer. Further, this Office has not received the tax returns of PBOR or the “affiliated entities under control of the Debtor.”

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It is the position of the United States Trustee that the Debtor is not in compliance with her obligations as a fiduciary in a bankruptcy case. Therefore, absent some further explanations from the Debtor, the United States expects to proceed with his motion on the next hearing date.

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE

By /s/ Greg M. Zipes
Greg M. Zipes
Trial Attorney